MINIMUM FILING FEE: \$100 FILE ORIGINAL & ONE COPY TYPE OR PRINT IN BLACK INK (For explanation of entries required, see booklet "How to File an Application to Appropriate Water in California")

State Of California State Water Resources Control Board

DIVISION OF WATER RIGHTS

P.O. Box 2000, Sacramento CA 95812-2000

Info: (916) 341-5300, Fax (916) 341-5400, Web: http://www.waterrights.ca.gov

APPLICATION TO APPROPRIATE WATER

31516

Application No. Ellis Ranch Vineyard E. Peter Seghesio, General Manager 1. APPLICANT **Frost Protection** Seghesio Farms Inc. (companion to A031510) 14730 Grove Street 707,433,3579 Healdsburg CA 95448 a. The name of the source at the point of diversion is the Russian River, tributary to Pacific Ocean.

b. In a normal year does the stream dry up at any point downstream from your project? Yes ___ No_x_.

If yes, during what months is it usually dry? From ___ What alternate sources are available to your project should a portion of your requested direct diversion season be excluded because of a dry stream or non-availability of water? None are available.

3. POINTS of DIVERSION and REDIVERSION

a. The points(s) of diversion will be in the County of Sonoma and within APN 141-190-047 .

Base and Point is within List all points giving coordinate distances from section Meridian Range Township Section (40-acre subdivision) corner or other tie as allowed by Board regulations i.e. California Coordinate System MDM 9W 10N 18 NW 1/4 NE 1/4 Well EL1 @ 150 gpm 140' South and 2200' West Northeast Corner_S18 (Projected)

c. Does applicant own the land at the point of diversion? Yes x No d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: _

4. PURPOSE of USE, AMOUNT and SEASON

a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day).

PURPOSE OF USE (Irrigation, Domestic, etc.)	Direct Diversion Quantity RATE (CFS or	Direct Diversion Quantity AMOUNT (Acre-feet	Direct Diversion Season Beginning Date	Direct Diversion Season Ending Date	Storage Amount Acre -Feet per annum	Storage Collection Season Beginning Date (Mo. & Day)	Storage Collection Season Ending Date (Mo, & Day)
g. Frost Protection	gal/day) Well EL1 0.334 cfs (150 gpm)	per year)	(Mo. & Day) February 15	(Mo. & Day) June 15	none	na	na acre feet.

b. Total combined amount taken by direct diversion and storage during any one year will be

5. JUSTIFICATION OF AMOUNT

a.	CRO	DP	ACRES	ME	THOD OF IRRIGAT	ON	ACRE- FEET PER YEAR	NORMAL SEASON Beginning Date	NORMAL SEASON Ending Date
	Viney	/ard			. <u> </u>			***	
							<u> </u>		
c. d. e.	STOCKWAT Describe typ RECREATI MUNICIPAI	Total number Total area of Incidental dor TERING: Kind te of operation: ONAL: Type of Cestimated p	of people to domestic last mestic uses of stock:	o be awns are : Fis se)	erved is served is E and gardens is Maximus hing Swim	stima n nur	nber:	e per person i square feet. 3 Other	s gpa.
,	POPULATION	5-year periods until use is completed	KAM	MUMI	МОЛТН			ANNUAL USE	
	PERIOD	POPULATION	Average dail		Rate of diversion (cfs)		age daily use . per capita)	Acre-Foot (per capita)	Total Acre-Feet
	Present								
					l Month of m	,			
g.	f. HEAT CONTROL: The total area to be heat protected isnet acres. Type of crop protected is Rate at which water is applied to use isgpm/acre. The heat protection season will begin about(date) and end about(date). g. FROST PROTECTION: The total area to be frost protected is24_ net acres. Type of crop protected isvineyard Rate at which water is applied to use is50gpm/acre. The frost protection season will begin about5 and end about15. h. INDUSTRIAL: Type of industry is								
1.	MINING:	The r The r Type After	name of the nature of th of milling p use, the wa	e clair e min roce: ater v	on of amount of m is Pate le is Min ss is Will be discharge	ented eral t	Unpate o be mined i	ented s e of stream) in	M.
•	POWER:	The t throu being (HP*)	otal fall to b gh the pen g generated 0.746*eff) a	oe uti stock by that	lized isfeet. iscfs. The ne works is % efficiency. ND/OR ENHANG	The r maxi cfs *	maximum an imum theore fall/8.8). Ele	nount of water tical horsepow ectrical capacit	rer capable of y is kW
	species and APP-ENV.	l habitat type th	at will be p	reser	ved or enhanced	d in Ite	em 10 of En	vironmental In	formation form
I,	OTHER: De	escribe use:	E	Basis	for determinatio	n of a	imount of wa	ater needed is	·
6.	PLACE OF	USE							•
a.	Does applic	cant own the lar (All joint owner	nd where w s should inclu	ater w	vill be used? Ye ir names as applica	s <u>x</u> nts and	No Is lid sign the applied	land in joint ov cation.) If appli	nership? Yes cant does not

own land where the water will be used, give name and address of owner and state what arrangements have been made with the owner. b. IRRIGATED SECTION TOWNSHIP RANGE BASE & USE IS WITHIN MERIDIAN (40-acre subdivision) Number Presently Sections and subdivisions are projected cultivated (Y/N) of acres 9W MDM 13 10N SE 1/4 of SW 1/4 MDM 11 9W NW 1/4 of NE1/4 18 10N 24 Acres (If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet and show detail on map.) 7. DIVERSION WORKS a. Diversion will be by gravity by means of b. Diversion will be by pumping from Existing well EL1. (sump, offset well, channel, reservoir, etc.). Pump discharge rate EL1 @ x 150 gpm. Horsepower EL1 @ 10 hp. Depth of well: unknown. c. Conduit from diversion point to first lateral or to offstream storage reservoir: LIFT CAPACITY CROSS SECTIONAL DIMENSION LENGTH TOTAL CONDUIT MATERIAL (Pipe diameter or ditch depth (Feet) **FALL** (Estimate) OR (Pipe or (Type of pipe or channel lining) (Indicate if pipe is buried or and top and bottom width) Feet + or -Channel) not) 150 gpm 4" diameter 600 10 **Buried PVC** Pipe d. Storage Reservoirs: (For underground storage, complete Supplement 1 to Application, available upon request.) Reservoir Dam Approximate Maximum Dam Length Freeboard Approximate Vertical height Construction Name or (feet) height above surface area capacity water depth material number of from downstream (acre-feet) (feet) when full spillway crest reservoir, if toe of slope to (feet) (acres) spillway level any (feet) none e. Outlet pipe: (for storage reservoirs having a capacity of 10 acre-feet or more.) Estimated storage FALL Diameter of outlet pipe Length of outlet pipe Vertical distance from Vertical distance below outlet pipe (feet) (inches) entrance (dead storage) between entrance and spillway to outlet pipe in reservoir in feet exit of outlet pipe in feet. none f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be __ cfs. Diversion to offstream storage will be made by: Pumping __ Gravity ___ 8. COMPLETION SCHEDULE b. Year work will be completed: Wells installed in the 1970's. a. Year work will start: c. Year water will be used to the full extent intended: d. If completed, year of first use: 1970's. 9. GENERAL a. Name of the post office most used by those living near the proposed point of diversion is: Geyserville. b. Does any part of the place of use comprise a subdivision on file with the State Department of Real No x. If yes, state the name of the subdivision: If no, is subdivision of these lands No_x Is it planned to individually meter each service connection? Yes ___ contemplated? Yes No x . If yes, when? na.

- c. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: Diverters are unknown to the applicant.
- d. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? Yes <u>x</u> No<u>____.</u> If yes, explain: The Russian River is used for recreational motorless boating activity.

10. EXISTING WATER RIGHT

Do you claim an existing right for the use of all or part of the water sought by this application? Yes <u>x</u> No__. If yes, complete the table below:

Nature of Right (Riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion
Groundwater	1970's	Frost Protection 6 acre feet	Feb 15 Jun 15	Russian River	Well EL1 @ 150 gpm 140' South and 2200' West Northeast Corner S18 (Projected)

\A/ith	respect	to:
VVILII	LESDECE	w.

x all matters concerning this water right application those matters designated as follows: ______

Lee Erickson CE45660

Erickson Engineering Inc.

P.O. Box 446 Valley Ford CA 94972-0446

707/795-2498 Voice/Fax

is authorized to act on my behalf.

12. SIGNATURE OF APPLICANT

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

Dated 5/25/04- , 2004, at Healdsburg California.

E. Peter Seghesio, General Manager

Seghesio Farms Inc.

14730 Grove Street Healdsburg (4,85448

Signature

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "How To File An Application to Appropriate Water in California". If there is insufficient space for answers on this form, attach extra sheets. Please cross reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the State Water Resources Control Board, Division of Water Rights, P.O. Box 2000, Sacramento CA 95812-2000, with \$100 minimum filing fee.

NOTE: If this application is approved for a permit, a minimum permit fee of \$100 will be required before the permit is issued.

13. MAP

See attachments.

14. SUPPLEMENTAL INFORMATION

- a. If you are applying for a permit, complete and append Environmental Information Form APP-ENV.b. If you are applying for underground storage, complete and append Supplement 1 to APP.

State Of California State Water Resources Control Board

DIVISION OF WATER RIGHTS

P.O. Box 2000, Sacramento CA 95812-2000

Info: (916) 341-5300, Fax (916) 341-5400, Web: http://www.waterrights.ca.gov

APPLICATION TO APPROPRIATE WATER ENVIRONMENTAL INFORMATION

(THIS IS NOT A CEQA DOCUMENT)

01510
APPLICATION NO Seghesio Farms Inc. at Ellis Ranch Vineyard – Frost Protection
The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETE, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to further amplify or clarify the information requested on this form.
PROJECT DESCRIPTION
 Provide a description of your project, including but not limited to type of construction activity, structures existing or to be built, area to be graded or excavated, and project operation, including how the water wi be used.
Seghesio Farms Inc Ellis Ranch at 21420 River Road, Geyserville CA 95441.
This multi-generational family-owned vineyard has been in operation since the 1970's. An existing agricultural well along the Russian River has been historically used for frost protection of upland vineyards. The well has been operated on the basis of groundwater use claims. The owner wishes to upgrade from Groundwater use to an Appropriative Right claims to better safeguard future vineyard water supplies.
No new construction, wells, off-channel storage, or revisions in historic place of use are proposed for thi application. The existing wells along with vineyard pipe lines will continue to be used in their present location and condition.
GOVERNMENTAL REQUIREMENTS
Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.
Contact your county planning or public works department for the following information: (a) Person Contacted Date of Contact
Department Telephone
(b) Assessor's Parcel Numbers (Sonoma County): APN 141-190-047
(c) County Zoning Designation: Ag Preserve

Page 2.

	(d) Are any county permits required for your project? Yes No_x . If yes, check appropriate spaces below: Grading Permit, Use Permit, Watercourse Obstruction Permit, Change of Zoning, General Plan Change, Other
	(e) Have you obtained any of the required permits described above? Not applicable. If you answered yes, provide a complete copy of each permit obtained.
3.	Are any additional state or federal permits required for your project? Not applicable. (i.e., Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Dept. of Water Resources (Division of Dam Safety), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required, provide the following information: Agency, Permit Type, Person Contacted, Date of Contact, Phone.
	No additional State or Federal permits are believed required for this project.
	4. Has any public agency prepared an environmental document for any aspect of your project? No.
	If so, please submit a copy of the latest environmental document(s) prepared, including a copy of the Notice of Determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control board will be preparing an environmental document for your application or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project.
	No environmental documents have been prepared for this project by any permitting agency, or are planned for development by the applicant.
	Note: When completed, please submit a copy of the final environmental document (including Notice of Determination) or Notice of Exemption to the Board. Processing of your water right application cannot proceed until such documents are submitted.
5.	Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity, or sedimentation? No. If so, explain:
	This project will not generate wastes having deleterious impact on surface or subsurface waters.
	If you answer yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):
	Will a waste discharge permit be required for your project? No. Person contacted and date of contact: What method of treatment and disposal will be used?
	Not applicable.
6.	Have any archeological reports been prepared for this project, or will you be preparing an archeological report to satisfy another public agency? No. Do you know of any archeological or historic sites located within the general project area? No. If so, explain: No archeological reports have been completed or are planned for the site.

ENVIRONMENTAL SETTING

- 7. Attach <u>THREE COMPLETE SETS</u> of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- (a) Along the stream channel immediately downstream from the proposed point(s) of diversion. **Downstream of Diversion:** Historic, current, and proposed future land use is Russian River riparian corridor on adjoining parcels, with vineyards in the upland areas on the owned parcel.
- (b) Along the stream channel immediately upstream from the proposed point(s) of diversion.

 Upstream of Diversion: Historic, current, and proposed future land use is Russian River riparian corridor on adjoining parcels, with vineyards in the upland areas on the owned parcel.
- (c) At the place(s) where the water is to be used.

 Place of Use: Historic, current, and proposed future land use is upland vineyards.
- 8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer

Red Fir

Lodgepole Pine

Mixed Conifer

Sierran Mixed Conifer

White Fir

Klamath Mixed Conifer

Douglas Fir

Jeffrey Pine

Ponderosa Pine

Eastside Pine

Redwood

Pinyon-Juniper

Juniper

Aspen

Closed Cone Pine-Cypress

Montane Hardwood-Conifer

Valley Foothill Hardwood

Blue Oak Woodland

Valley Oak Woodland

Coastal Oak Woodland

Valley Foothill Hardwood-Conifer

Blue Oak - Digger Pine

Eucalyptus

Montane Riparian

Valley Foothill Riparian

Desert Riparian

Palm Oasis

Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub

Low Sage

Bitterbrush

Sagebrush

Montane Chaparral

Mixed Chaparral

Chamise-Redshank Chaparral

Coastal Scrub

Desert Succulent Shrub

Desert Wash

Desert Scrub

Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland

Perennial Grassland

Wet Meadow

Fresh Emergent Wetland

Saline Emergent Wetland

Pasture

Aquatic Communities

Riverine

Lacustrine

Estuarine

Marine

Developed Communities

Cropland

x Orchard - Vineyard

Urban

Literature Source: Mayer, KE and WF Laudenslayer Jr. (Eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) program at 916/653-7203.)

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your application, including changes in diversion structures, water distribution and use facilities, and changes in the places of use due to additional water development.

No trees or shrubs will be impacted by this project. All well, pipeline, utilities, and water distribution improvements were located in existing vineyards and agricultural production areas and have been in place for many years.

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your project. (Note: See footnote denoted by * under Question 11 below.)

The main stem of the Russian River has known populations of anadromous species that are present on a seasonal basis that are considered threatened or of concern to NMFS, including steelhead trout and Coho salmon. The project proposal will have insignificant impact on these resources for a number of reasons.

- Pumped well water is withdrawn from groundwater or river underflow possibly in deep alluvial gravels, with the well and pump located over 800 feet from open water.
- Requested withdrawal rates have occurred annually as groundwater use over a many year period without measurable or significant impacts or harm to the fish.
- Frost protection pumping takes place when flows are far above baseline values.
- The pumping rate at less than 0.4 cfs is a miniscule fraction of Agency-mandated baseline flows of 150 200 cfs that are maintained in the channel reach by the Sonoma County Water Agency using stored water discharge from Lake Mendocino and Warm Springs Dam.

 Output

 Dam.
- Direct correlation between groundwater flows 800' from the river and river flows are considered unlikely.
- Minimal in-channel flows due to natural seasonal processes occur in summer and fall
 months when fish are not likely to be present due to lack of appropriate habitat and due to
 naturally-occurring seasonally elevated water temperatures.
- No changes to existing terrestrial riparian vegetation, canopy, or habitat is proposed.
- No changes to existing aquatic riparian vegetation, structure, or habitat is proposed.
- 11. Identify the typical species of riparian and terrestrial wildlife in the project and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution work and/or changes in the place of water use. (Note: See footnote denoted by * below.)

Typical wildlife *outside* the project area would be those species associated with the Russian River riparian corridor, including small mammals, deer, waterfowl, upland game birds, amphibians, warmwater and cold-water fishes, and a wide variety on non-game predator and prey birds and animals. The existing well is located in a non-riparian vineyard area and will not affect riparian species or terrestrial wildlife. There will be no impacts to habitat, because no new construction or distribution works are required or proposed. The place of water use consists of existing upland vineyards.

*Note: The purposes of Questions 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the project area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or to determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (see attachment for address and telephone number) or

Page 6.

you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory Yellow Pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program at 916/324-6881 or the University of California, Cooperative Extension Service (see your local telephone directory white pages)>

12. Does your proposed project involve any construction or grading related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No. If so, explain:

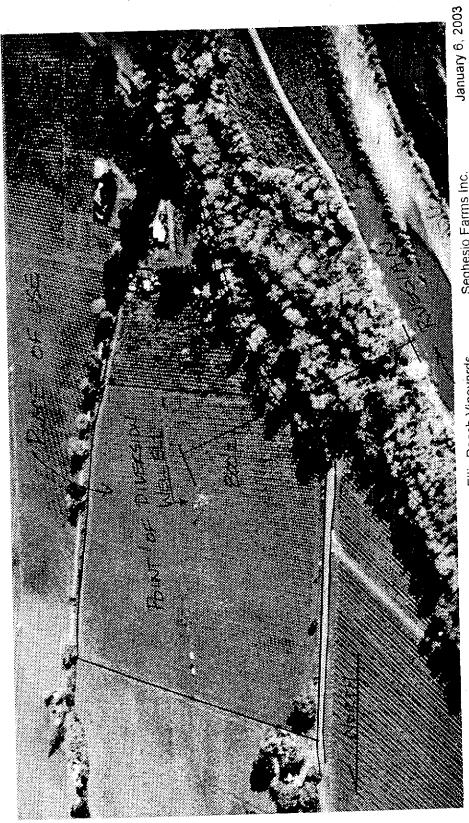
Historic well development and distribution system to place of use has occurred within vineyard and agricultural areas. No work was undertaken in the bed or bank of the Russian River.

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Signature

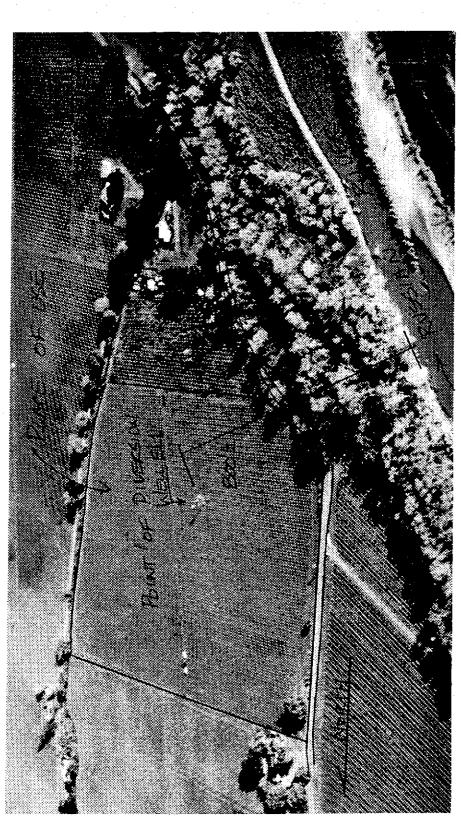
C:\Documents and Settings\Administrator\My Documents\Word files\Projects\Seghesio-EL\EL2-Frost Envt.DOC



Part 7a, 7b, 7c Water Rights Application Photo: Upstream and Downstream at Point of Diversion, Place of Use

21420 River Road Healdsburg CA 95448 Ellis Ranch Vineyards

Seghesio Farms Inc. 14730 Grove Street Healdsburg CA 95448

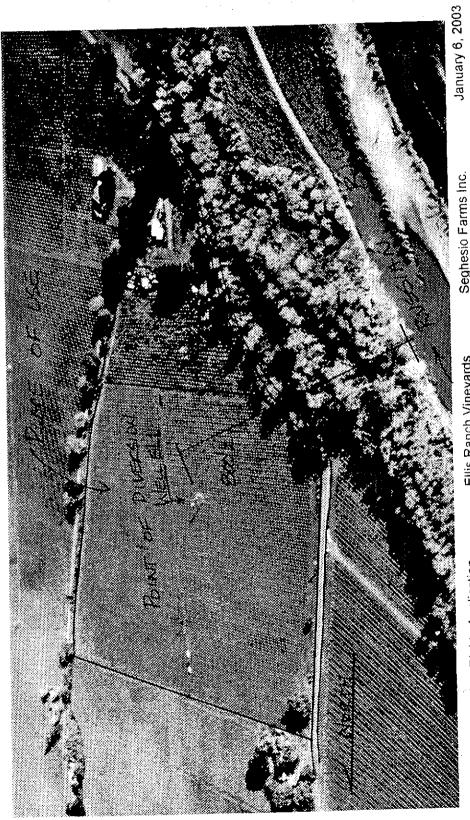


Part 7a, 7b, 7c Water Rights Application Photo: Upstream and Downstream at Point of Diversion, Place of Use

Ellis Ranch Vineyards 21420 River Road Healdsburg CA 95448

Seghesio Farms Inc. 14730 Grove Street Healdsburg CA 95448

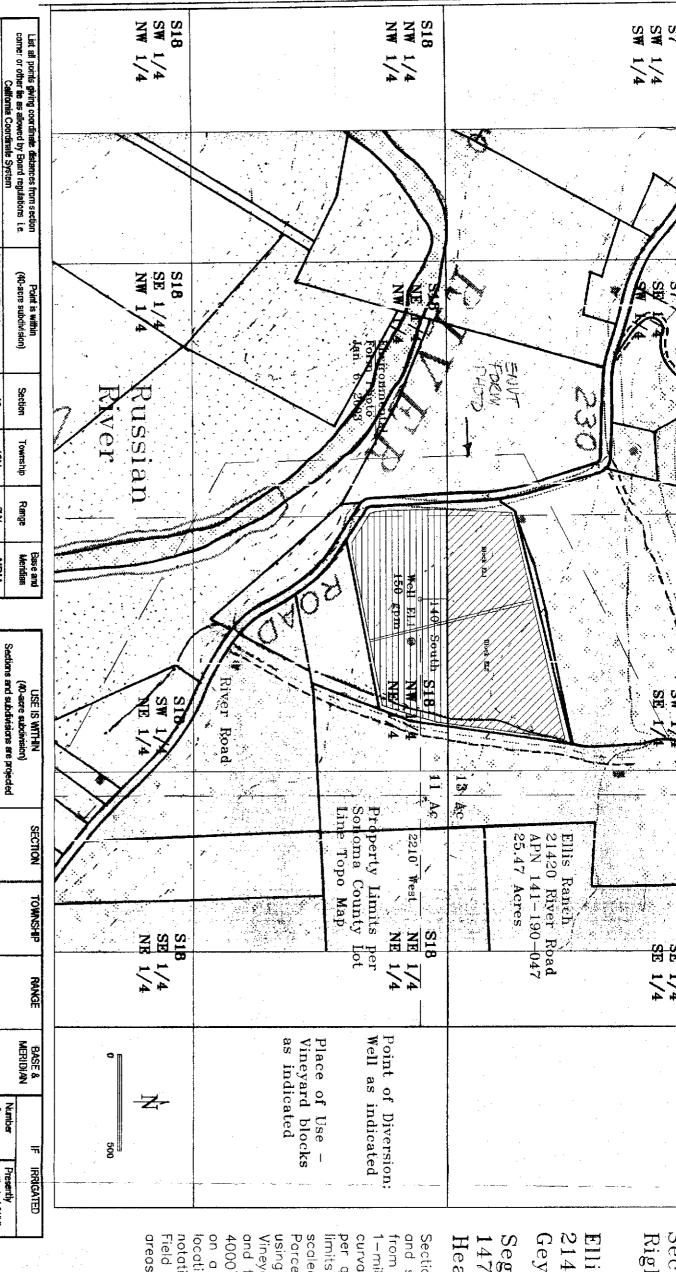
January 6, 2003



Part 7a, 7b, 7c Water Rights Application Photo: Upstream and Downstream at Point of Diversion, Place of Use

Ellis Ranch Vineyards 21420 River Road Healdsburg CA 95448

Seghesio Farms Inc. 14730 Grove Street Healdsburg CA 95448



Rights Application Section to or water

Geyserville CA 95441 21420 River Road Seghesio Farms Inc. Ellis Ranch Vineyard Healdsburg CA 95448 14730 Grove Street

Field verify critical locations and notation on aerial photos noted areas using as required. locations per Seghesio Farms 4000' elevation dated 1997 overlaid and traced aerial photos at about Parcel Map data overlaid on quad scaled, and traced Assessor's and scaled quad map as projected on a visual best fit basis. Well Vineyard limits based on scaled using visual best fit methods. per quad map data. Property 1-mile sections unadjusted for Section data overlaid on scanned limits estimated using scanned, curvature or local distortion. North trom known corners using standard

Erickson Engineering Inc. Valley Ford CA 94972—0446 707/795-2498 Voice, Fax



Scale: Date: May 18, 2004 Scale: 1" = 400'

By: LRE Sheet:

Total combined amount taken by direct diversion and storage during any one year will be 6 acre feet 0.334 ds (150 gpm) Ø February 15 35 를

g. Frost Protection

Well ⊞1

(Irrigation, Domestic, etc.)

Direct
Diversion
Quantity
RATE
(CFS or
gal/day)

Direct
Diversion
Quantity
AWOUNT
(Acre-feet

Direct
Diversion
Season
Season
Beginning
Date
(Mo. & Day)

Direct
Diversion
Season
Ending
Date
(Mo. & Day)

Storage
Collection
Season
Beginning
Date
(Mo. & Day)

Storage Collection Season Season Ending Date (Mo. & Day)

Storage Amount

per annum Acre -Feet

none

쥷

PURPOSE OF

Well EL1 @ 150 gpm 140' South and 2200' West Northeast Carner S18 (Projected)

affornia Coordinate System

NW 1/4 NE 1/4

8

皇

Š

Z Z Z

SE 1/4 of SIV 1/4 NW 1/4 of NE1/4

18

22

We We

MDM

of acres

Number